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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/075,594	02/15/2002	Frank Joseph Kalas JR.	1330.1085	9408
21171	7590	09/20/2004	EXAMINER	
STAAS & HALSEY LLP SUITE 700 1201 NEW YORK AVENUE, N.W. WASHINGTON, DC 20005			WEST, JEFFREY R	
			ART UNIT	PAPER NUMBER
			2857	

DATE MAILED: 09/20/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<p align="center"><b>Office Action Summary</b></p>	<p>Application No.</p> <p align="center">10/075,594</p>	<p>Applicant(s)</p> <p align="center">KALAS, FRANK JOSEPH</p>	
	<p>Examiner</p> <p align="center">Jeffrey R. West</p>	<p>Art Unit</p> <p align="center">2857</p>	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 05 February 2004.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-34 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-34 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| <p>1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)</p> <p>2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)</p> <p>3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br/> Paper No(s)/Mail Date <u>06/14/02</u>.</p> | <p>4) <input type="checkbox"/> Interview Summary (PTO-413)<br/> Paper No(s)/Mail Date. _____</p> <p>5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)</p> <p>6) <input type="checkbox"/> Other: _____</p> |
|--|---|

### **DETAILED ACTION**

1. The Examiner requests a copy of the relative pages of the following document listed on page 34 of the instant specification since it is considered pertinent to the examination of the application:

Bono, "Lateral Thinking: Creativity Step by Step".

### ***Specification***

2. The disclosure is objected to because of the following informalities:

Page 9, line 7, indicates that Figure 2 "shows only two terminals 30" while Figure 2 shows four terminals labeled "30".

On page 9, lines 21-22, "access discrepancy" should be ---access add discrepancy---.

On page 15, lines 29-30 state that "From operation 160, the process moves to operation 152" while Figure 4 shows the flow of operation from "160" to "154".

On page 16, lines 34-35 state that "from operation 176, the process moves to operation 178, where it is determined whether the discrepancy has been approved" while Figure 5 shows that discrepancy approval is determined at step "180" not "178".

On page 19, line 13, "the process moves to operation 222" should be ---the process moves to operation 212---.

On page 24, line 20, "From operation 330" should be ---From operation 332---.

On page 29, line 8, "From operation 450" should be ---From operation 448---.

Appropriate correction is required.

### ***Claim Objections***

3. Claims 1, 2, 4, 6, 8, 10, 13, 15, and 17 are objected to because of the following informalities:

In claim 1, line 5, to avoid problems of antecedent basis, "entered inspection data" should be ---entered resulting inspection data---.

In claim 2, line 2, "a inspection" should be ---an inspection---.

In claim 4, line 4, to avoid problems of antecedent basis, "the list" should be ---the selectable list---.

In claim 6, line 1, to avoid problems of antecedent basis, "the information" should be ---the computer-implemented information---. A similar change should be made to claim 10, line 1, claim 13, line 1, and claim 17, line 1.

In claim 8, line 2, "inspected inspection" should be ---entered inspection---. A similar change should be made to claim 15, line 2.

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-15 and 19-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Application Publication No. 2002/0029222 to Key in view of U.S. Patent No. 5,657,233 to Cherrington et al.

Key discloses an automated data capture system comprising a terminal located in an inspection vicinity of an end-item formed of different components, inspectors inspecting the components and entering resulting inspection data into the terminal (0048) and a database system with the entered inspection data from the inspectors being electronically transferred to the database system and correlated and maintained by the database system as inspection data for the end-item (0019 and 0104-0105).

Key discloses the terminal is a mobile terminal with an inspector taking a respective mobile terminal with the inspector to a vicinity of each component being inspected so that the inspector can enter inspection data directly into the terminal as the inspector inspects the component (0048).

Key discloses a computer-implemented information adder, at the terminal, allowing inspectors to select a component for which inspection data will be entered, thereby allowing the inspectors to select the order in which components will be inspected (0170) wherein after a inspector selects a component for which inspection data will be entered, the information adder automatically cross-references the component data with a reference list of standard discrepancies for the selected component which is auto-populated and provided to the inspector to allow the inspector to enter the standard discrepancy as inspection data indicating that the

standard discrepancy was found during the inspection by the inspector of the selected component (0052 and 0193-0194). Key also discloses the same computer-implemented method for accessing (0155, 0157 and 0158), modifying (0193), viewing (0155, 0157 and 0158), and/or deleting (0194) previously entered inspection data.

Key also discloses that the inspector must be properly authorized to perform the modifying and deleting (0072 and 0194) using a computer-implemented authorizer that electronically accesses the inspection data maintained by the database system and authorizes the maintained data to set the inspectors privileges (0078).

Key also discloses an exporter electronically exporting the inspection data for the end-item from the database system to a work order system (i.e. work assignment unit receives exported reviewed data) which automatically generates work orders from the exported data (0019,0076, and 0135).

As noted above, the invention of Key teaches many of the features of the claimed invention including a mobile inspecting terminal for allowing an inspector to carry out inspections, but does not explicitly include a second mobile terminal for a second inspector.

Cherrington teaches an integrated automated vehicle analysis system including a mobile technician terminal (column 6, lines 2-5) coupled to a system database (column 5, lines 9-12) for performing inspection of a plurality of components on a plurality of devices (column 5, lines 12-25). Cherrington also discloses implementing

a second technician terminal in addition to the first technician terminal (column 9, lines 16-21).

It would have been obvious to one having ordinary skill in the art to modify the invention of Key to explicitly include a second mobile terminal for a second inspector, as taught by Cherrington, because Cherrington suggests the use of a plurality of terminals and therefore the combination would have reduced the burden of a single inspector as well as reduced the time required to perform overall inspection by allowing more than one inspector to inspect different components at the same time (column 9, lines 16-21).

6. Claims 16-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Key in view of Cherrington and further in view of U.S. Patent No. 5,428,547 to Ikeda.

As noted above, the invention of Key and Cherrington teaches many of the features of the claimed invention, and while the combination does include a computer-implemented method for modifying previously obtained inspection data, the combination does not specifically include means for duplicating previously obtained inspection data.

Ikeda teaches a numeral control unit that pre-announces scheduled operations including means for accessing previously obtained inspection data (column 14, lines 44-55) and duplicating the accessed inspection data (column 25, lines 45-51).

It would have been obvious to one having ordinary skill in the art to modify the invention of Key and Cherrington to specifically include means for duplicating

previously obtained inspection data, as taught by Ikeda, because Ikeda suggests that the combination would have provided means for copying fundamental inspection information with respect to the components being inspected that are necessary thereby allowing accurate inspection by insuring that such fundamental information is updated and accurate (column 14, lines 50-55 and column 22, line 67 to column 23, line 16).

### ***Conclusion***

7. The prior art made of record and not relied upon is considered pertinent to Applicant's disclosure:

U.S. Patent No. 5,321,629 to Shirata et al. teaches a facility inspection support apparatus.

U.S. Patent No. 6,031,566 to Leo teaches a method and device for providing a multiple source display and a remote visual inspection system specially adapted for use with the device.

JP Patent Application Publication No. 11-345019 to Uchida et al. teaches a maintenance supporting device for a plant.

8. If a copy of a provisional application listed on the bottom portion of the accompanying Notice of References Cited (PTO-892) form is not included with this Office action and the PTO-892 has been annotated to indicate that the copy was not readily available, it is because the copy could not be readily obtained when the



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Office action was mailed. Should applicant desire a copy of such a provisional application, applicant should promptly request the copy from the Office of Public Records (OPR) in accordance with 37 CFR 1.14(a)(1)(iv), paying the required fee under 37 CFR 1.19(b)(1). If a copy is ordered from OPR, the shortened statutory period for reply to this Office action will not be reset under MPEP § 710.06 unless applicant can demonstrate a substantial delay by the Office in fulfilling the order for the copy of the provisional application. Where the applicant has been notified on the PTO-892 that a copy of the provisional application is not readily available, the provision of MPEP § 707.05(a) that a copy of the cited reference will be automatically furnished without charge does not apply.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeffrey R. West whose telephone number is (571)272-2226. The examiner can normally be reached on Monday through Friday, 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marc S. Hoff can be reached on (571)272-2216. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

jrw  
September 13, 2004

  
MARC S. HOFF  
SUPERVISORY PATENT EXAMINER  
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